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***Army Regulation 40-661**
***Naval Medical Command Instruction 6240.2**
***Air Force Regulation 161-72**
***Marine Corps Order 10110.41A**
***Defense Logistics Agency Regulation 4155.35**

Medical Services

Veterinary/Medical Destination Inspection of Salad-Type Convenience Food

Summary. This regulation on veterinary/medical destination inspection of salad-type convenience foods has been revised. It establishes policy concerning wholesomeness requirements and inspection procedures for commercially prepared fresh salad-type convenience foods purchased with either appropriated or nonappropriated funds. It requires establishing and maintaining quality history records for each type of salad. Each installation is responsible for its own assurance program. This regulation changes the microbiological requirements for salad-type convenience foods. It expands the policy concerning salad-type convenience foods from CONUS to worldwide application.

Applicability. This regulation applies to the Active and Reserve Components of the Army, the Navy, the Air Force, and the US Marine Corps and to the Defense Logistics Agency. It applies to the inspection of salad-type convenience foods purchased locally or centrally for the Armed Forces with appropriated and nonappropriated funds. It also applies to the inspection of civilian food establishments serving as sources of these products.

Impact on New Manning System. This regulation does not contain information that affects the New Manning System.

Internal control systems. This regulation is subject to the requirements of AR 11-2. It contains internal control provisions but does not contain checklists for conducting internal control reviews. These checklists are being developed and will be published at a later date.

Supplementation. Supplementation of this regulation for Army use is prohibited without prior approval from HQDA (DASG-VCP), 5111 Leesburg Pike, Falls Church, VA 22041-3258. Air Force users must obtain prior approval from HQ, USAF/SGPA, Bolling AFB, Washington, DC 20332-6188.

Interim changes. Interim changes to this regulation are not official unless they are authenticated by The Adjutant General. Users will destroy interim changes on their expiration dates unless sooner superseded or rescinded.

Suggested Improvements. The proponent agency of this regulation is the Office of the Surgeon General, HQDA. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) or related form directly to HQDA (DASG-VCP), 5111 Leesburg Pike, Falls Church, VA 22041-3258.

Contents

	Paragraph	Page
Purpose	1	1
References	2	1
Explanation of abbreviations and terms	3	2
Responsibilities	4	2
Approved sources	5	3
Routine sanitary inspections	6	3
Packaging, coding, and delivery requirements	7	3
Microbiological wholesomeness testing requirements	8	4
Sampling and testing procedures	9	4
Administrative procedures	10	4
Origin inspector duties	11	5
Destination inspector duties	12	5
Glossary	Glossary	1

1. Purpose

This regulation prescribes policy concerning wholesomeness requirements and inspection procedures for commercially prepared fresh salad-type convenience foods purchased with either appropriated or nonappropriated funds. The contents of paragraphs 7 and 8 are suitable for inclusion as quality assurance provisions in locally administered procurement instructions. To preclude the use of potentially hazardous food products on military installations, the provisions of this regulation must be observed by all commanders and purchasing activities.

2. References

a. Required publications.

(1) AR 40-657/NAVSUPINST 4355.4/AFR 161-32/MCO P10110.31 (Veterinary/Medical Food Inspection). Cited in paragraphs 4c(2) and *f*(1)(*f*), 5, and 6*d*, and the glossary.

(2) AR 40-70/NAVSUPINST 4355.6/AFR 161-46/MCO 10110.44 (Veterinary/Medical Wholesomeness Assurance Program for Fresh and Cultured Dairy Products and Frozen Desserts). Cited in paragraph 10*a*.

(3) *Compendium of Methods for the Microbiolog-*

*This regulation supersedes AR 40-661/BUMEDINST 6240.8/AFR 163-17/MCO 10110.41, 15 August 1978.

D101.9:

ical Examination of Foods. Cited in paragraph 9*b*. (This book is available from American Public Health Association, 1015 Eighteenth Street, NW, WASH DC 20036.) (This book is required by any command concerned with the microbiological examination of foods.)

(4) DLAR 4155.26/AR 40-660/NAVSUPINST 10110.8/AFR 161-42/MCO 10110.38 (DOD Hazardous Food and Nonprescription Drug Recall System). Cited in paragraph 11*f*.

b. Referenced form. DD Form 2385 (Quality History for Fresh, Cultured, or Frozen Dairy and Salad-Type Convenience Food Products).

3. Explanation of abbreviations and terms

Abbreviations and special terms used in this regulation are explained in the glossary.

4. Responsibilities

a. The surgeons general, will—

(1) Prescribe standards for product wholesomeness and establishment sanitation.

(2) Develop uniform, efficient procedures to ensure contractor compliance with product wholesomeness requirements and establishment sanitation standards.

b. The commander of each major Army command (MACOM) and each Air Force major command (MAJCOM) will—

(1) Ensure command implementation of this program within each area of responsibility by veterinary/medical food inspection personnel.

(2) Coordinate implementation of this program with other commands and services through medical staff channels.

(3) Ensure that purchasing activities provide veterinary/medical inspectors a copy of each contract or purchase order document. The document will identify each salad-type convenience food to be supplied to the Armed Forces and the manufacturer thereof.

(4) Supervise inspection and sampling of products on delivery to installations within the command.

(5) Ensure that all salad-type convenience foods received by food facilities are purchased from suppliers listed in a *Directory of Sanitarily Approved Food Establishments for Armed Forces Procurement* published by a U.S. Army MACOM or meet exemption requirements of AR 40-657/NAVSUPINST 4355.4/AFR 161-32/MCO P10110.31.

c. The commander or officers in charge of each Naval medical command will—

(1) Ensure that purchasing activities provide Navy and Marine Corps food inspectors a copy of each contract or purchase order document. The document will cite each salad-type convenience food to be supplied and the manufacturer thereof.

(2) Ensure that all salad-type convenience foods received by food facilities are purchased from suppliers listed in a *Directory of Sanitarily Approved Food Establishments for Armed Forces Procurement* published by a U.S. Army MACOM or meet exemption requirements of AR 40-657/NAVSUPINST 4355.4/AFR 161-32/MCO P10110.31.

(3) When no U.S. Army veterinary personnel are assigned to the command, provide acceptance at destination inspections which normally will be limited to identity, count (number of individual units per master container), and condition. Acceptance or rejection at destination for discrepancies in identity, count, and condition is the responsibility of the the receiving command. Acceptance when wholesomeness is in question is the responsibility of the medical authority.

(4) Ensure command implementation of this program throughout their area of responsibility.

d. The MACOM veterinarian, MAJCOM environmental health officer and environmental health nurse will—

(1) Administer this regulation throughout their area of responsibility.

(2) Coordinate with staff medical personnel of Air Force MAJCOM and Navy or Marine commands as necessary.

(3) Notify purchasing activities, contractors, and veterinary/medical personnel when a contractor is unable to meet the requirements of this regulation and/or a contractor is to be reinstated.

(4) Cause suspensions of delivery actions as prescribed by this regulation when notified of product nonconformance through the medical staff of the Armed Services.

e. Veterinary/medical personnel will—

(1) Perform the specific responsibilities of origin and destination inspection as required in paragraphs 11 and 12 of this regulation.

(2) Make quarterly quality assurance visits for the purpose of—

(*a*) Discussing the plant's quality control program.

(*b*) Reviewing the plant's laboratory results.

(*c*) Sampling the product.

(*d*) Performing a sanitary inspection.

f. Purchasing and contracting personnel will—

(1) Incorporate the requirements of this regulation into all solicitations and contracts.

(2) Be listed in a *Directory of Sanitarily Approved Food Establishments for Armed Forces Procurement* or be under the inspection cognizance of other Federal Agencies. (Solicitations will indicate how to obtain listing.)

(3) Ensure that the requirements of paragraphs 7 and 8 are specified in contracts.

(4) Prior to the first delivery of products, when possible, provide appropriate origin and destination in-

spectors a copy of each contract or purchase order document citing each item to be supplied to the Armed Forces and the manufacturer thereof.

(5) Provide a copy of this regulation and applicable military standards to bidders and/or contractors.

(6) Take necessary action, including, if appropriate, the suspension of deliveries when advised by the veterinary/medical authority that deliveries by the contractor are not permitted due to wholesomeness nonconformances.

(7) Notify the contractor as soon as possible of suspension of deliveries.

(8) Following notification by the veterinary/medical authority of a contractor's eligibility for reinstatement, notify the contractor and responsible inspector of the date that deliveries will resume.

(9) When appropriate, suspend or terminate contracts and/or purchase orders for contractor failure to comply with this regulation.

g. Contractors supplying salad-type convenience foods will—

(1) Comply with plant sanitation provisions of AR 40-657/NAVSUPINST 4355.4/AFR 161-32/MCO P10110.31 and applicable military standards. Failure to do so will result in rejection of deliveries by veterinary/medical authorities and subsequent contract suspension may result in termination by the contracting officer.

(2) Have a plant management representative accompany military inspectors during inspections.

(3) Provide tare weight information for individual containers.

(4) Supply only products derived from ingredients that are clean, sound, wholesome, and free from extraneous material, evidence of rodent and insect infestation, off-flavor, off-odor, and off-color.

(5) Perform necessary laboratory tests to assure compliance with contract requirements and this regulation. The test results will be available for review by the responsible inspector during normal operating hours.

(6) Take immediate corrective action when advised of Government test or examination failures.

(7) Provide in writing, code information and source of manufacture. Information will be sent to the responsible inspectors prior to or concurrent with the first delivery and when there is any change in this information.

(8) Certify in writing to the contracting/purchasing officer that 3 consecutive or 3-out-of-5 consecutive samples from separate production lots are conforming prior to reinstatement as prescribed by paragraph 10*b*(4).

5. Approved sources

Commercially prepared salad-type convenience foods (in bulk or in single service containers for resale) will be purchased only from sources approved by MACOMs/MAJCOMs as prescribed by AR 40-657/NAVSUPINST 4355.4/AFR 161-32/MCO P10110.31. In addition, sources of chef salad-type mixed raw vegetables items and fresh green salads must also be approved if salad dressing is added. Products which cannot be identified as originating from an approved source will be rejected by the destination inspector without further inspection.

6. Routine sanitary inspections

Routine sanitary inspections will be conducted according to the guidelines below.

a. Purpose of routine sanitary inspections. Routine sanitary inspections are made to determine the current sanitary status of an establishment listed in a Directory. These inspections result in the continued approval of the establishment or in notice to its management of the possibility of disapproval if the sanitary deficiencies observed are not corrected in a reasonable amount of time.

b. Conducting of routine sanitary inspections. Routine sanitary inspections will be completed in sufficient detail for the inspector to evaluate correctly the current sanitary status of an approved establishment. When, during a routine inspection, the inspector finds serious sanitary deficiencies, he or she will orally inform the management of the deficiencies. The inspector will at the time, advise management that the establishment may be disapproved if the deficiencies are not corrected. Written notice will be given to the management explaining each sanitary deficiency identified. Management will be advised of a pending special sanitary inspection to determine continued sanitary approval.

d. Frequency of sanitary inspections. Salad-type convenience food establishments will be inspected quarterly. If the microbiological Quality History Record (QHR) indicates the maintainance of a satisfactory QHR for 1 year, sanitary inspections may be reduced to semiannually at the discretion of the deputy commander for veterinary services or the environmental health officer.

d. Other inspections. Initial, special, and update sanitary inspections will be conducted as prescribed by AR 40-657/NAVSUPINST 4355.4/AFR 161-32/MCO P10110.31.

7. Packaging, coding, and delivery requirements

a. Products sold on military installations will be marked with a "pull," "sell by," or "do not sell after" date. All dates will be "open"; such as, "12 Dec 87," and will be placed on each individual container at the time of manufacture.

b. Place of manufacture or processing is required on each individual packaging container. If this information is coded, complete explanation of the code will be provided to inspection personnel.

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c. A specific delivery time after manufacture will be stipulated by the procurement agency in the contracted documents. Army and Air Force Exchange Service (AAFES) procurements will be all accordance with Exchange Service Manual 25-1.

d. Items which have been picked up from nonmilitary sales outlets will not be delivered to the military.

e. The product delivery temperature requirement for chilled items is 32 to 45 degrees Fahrenheit (°F) or 0 to 7 degrees Celsius (°C) (inclusive). One unit container per shipment is recommended for initial sampling. If the initial sample is nonconforming, additional samples (minimum of three) should be drawn to determine compliance based on average internal temperature. If a sample exceeds 45 degrees Fahrenheit, the entire shipment is not acceptable. Temperatures will be internal product temperatures. The product will show no evidence of freezing or thawing.

8. Microbiological wholesomeness testing requirements

a. The microbiological criteria for salad-type convenience foods are as specified in table 1.

b. Salads containing cultured dairy products such as sour cream are exempt from the aerobic plate count requirement.

9. Sampling and testing procedures

a. Sampling. The sample unit, when packaged in units of 16 ounces or less, will be one unopened, original container. Bulk packages of salads will be aseptically sampled to provide the laboratory a minimum of 4 ounces or 100 grams for testing. Samples should be submitted on the day of delivery, maintained at 32 to 45 degrees Fahrenheit until delivered to the laboratory, and tested within 72 hours of sampling. A pilot should be included with each shipment to the laboratory.

b. Sample testing. Samples will be tested as prescribed by the *Compendium of Methods for the Microbiological Examination of Foods.* Prepare dilutions according to paragraph 24.41 of the Compendium except use 25 grams of food instead of 2.5 grams. Testing will be as prescribed in the following paragraphs of the Compendium:

Count	*Paragraph*
Aerobic plate	4.522(b) through 4.58
Coliform MPN	24.42 through 24.45
E. coli	24.42 through 24.45
Yeast and mold	16.42 through 16.6

10. Administrative procedures

a. The contractor's quality history record, as established and maintained by the responsible veterinary/medical inspection personnel, will be utilized in determining the eligibility of contractor's products for sale on military installations. DD Form 2385 (Quality History for Fresh, Cultured, or Frozen Dairy and Salad-Type Convenience Food Products) will be maintained as prescribed in AR 40-70/NAVSUPINST 4355.6/AFR 161-46/MCO 10110.44.

b. Use of the 3-out-of-5 concept. The 3-out-of 5 concept is used to determine the minimum acceptable contractor's performance in complying with the standard inspection requirement of the contract. This concept is applied separately to each microbiological characteristic evaluated. For example, an aerobic plate count which is over the limit will not be mixed with a coliform count which also exceeds the limit. The concept is applied to coliform, aerobic plate, *E. coli*, and yeast and mold count results only. The steps, in order, to be followed in using the 3-out-of-5 concept are as follows: (The first number represents the number of nonconforming samples for a specific product characteristic and the second number represents the number of consecutive samples.)

(1) Notice (1-out-of-4).

(2) Warning (2-out-of-4).

(3) Suspension or termination (3-out-of-5).

(4) Reinstatement. Reinstatement may occur only after the contractor has certified in writing to the deputy commander for veterinary services that the problem was

Table 1
Microbiological requirements for salad-type convenience foods

Counts	Requirements			
	n (See note 1)	c (See note 2)	m (See note 3)	M (See note 4)
Aerobic plate count	5	3	100,000 per gram	1,000,000 per gram
Coliform most probable number (MPN) count	5	3	100 per gram	1,000 per gram
E. coli MPN count	5	3	Less than 3 per gram	10 per gram
Yeast and mold count	5	3	200	1,000 per gram

Notes:
1. n—number of samples examined.
2. c—maximum number of samples allowed with values equal to or above m.
3. m—values above this level, but below that of M are of marginal microbiological quality.
4. M—values above this level are unacceptable and the product is rejected and deliveries are suspended by the contracting officer.

corrected and has submitted to the destination veterinary services, three samples from three different production lots which are found not to exceed m values of table 1 by Government laboratory testing.

c. To establish a quality history for a contractor, each salad-type convenience food that a contractor delivers to a military installation will be inspected weekly during initial deliveries. When 3-out-of-5 samples from separate production lots have not exceeded the m value, or a single sample has not exceeded the M value of table 1, the contractor's quality history is considered satisfactory. At that time the sampling frequency will be reduced to a minimum of once each quarter. Items greater than m but less than M will be tested not less than monthly.

d. The contractor and/or manufacturer will be notified by the responsible veterinary/medical inspection office each time a sample exceeds the microbiological limits listed in table 1. If 3-out-of-5 samples exceed the m value or any one sample exceeds the M value of table 1, deliveries of that item will not be permitted until the sanitation problem is identified and corrected.

11. Origin inspector duties

The origin inspector will manage the wholesomeness assurance requirements for the program and will—

a. Maintain liaison with destination inspectors at all military installations receiving salad-type foods procured from contractors under his or her jurisdiction.

b. Initiate and maintain product quality history records and files for each product type. Maintain a record of all military facilities being supplied by contractors under his or her jurisdiction.

c. Select the military installation responsible for collecting destination samples for laboratory analysis. (*Note*: The selected site is subject to the approval of the appropriate MACOM or MAJCOM per paragraph 4*b*(2).)

d. Notify the destination inspector of products to be collected for laboratory testing and the sample collection frequency.

e. Notify destination food inspection personnel of all applicable military facilities of suspension of deliveries and reinstatement after suspensions.

f. Notify destination food inspection personnel and all applicable military facilities of eminent health hazards. (Refer to DLAR 4155.26/AR 40-660/NAVSUPINST 10110.8/AFR 161-42/MCO 10110.38.)

g. Notify the contractor each time a sample exceeds the microbiological limits of m listed in table 1, or other significant nonconformances requiring corrective action.

h. Institute increased or decreased frequency of testing at destination sampling when appropriate.

i. Maintain liaison with the U.S. Army regional veterinary laboratory conducting the laboratory tests.

12. Destination inspector duties

The destination inspector will—

a. Ensure that the origin inspector is aware of production plants supplying the installation and that these plants are approved.

b. When selected by the Army origin inspector as the military installation responsible for collecting test samples, coordinate with the MACOM OR MAJCOM to secure approval of the selection (see para 4*b*(2)).

c. Develop plans for collecting samples.

d. Submit samples for testing, as required, and provide the origin inspector with a copy of the request for and results of the tests.

e. Notify local facilities receiving salad-type foods of product delivery suspensions and of reinstatements after suspensions are rescinded.

f. Based upon product quality history, advise the contracting officer and origin inspector when a contractor's product does not meet military requirements or does not have the shelf-life indicated by the contracctor.

g. Notify the procuring agency responsible for the contract of product suspensions of delivery and reinstatements.

h. Maintain routine files on the contractor.

Glossary

Section I
Abbreviations

AAFES ..... Army and Air Force Exchange Service
°C ..... degrees Celsium
c ..... maximum number of samples allowed with values equal to or above m.
E. coli ..... Esherichia coli
°F ..... degrees Fahrenheit
HQDA ..... Headquarters, Department of the Army
M ..... maximum acceptable number
m ..... marginally acceptable number
MACOM ..... major Army command
MAJCOM .... major command (Air Force)
MPN ..... most probable number
n ..... number of sample units examined

Section II
Terms

Aerobic plate count
Method for measuring bacterial populations in a food product expressed as a colony count per unit or colony forming units per unit.

Approved source
Food establishments approved for Armed Forces procurement as prescribed by AR 40-657/NAVSUPINST 4355.4/AFR 161-32/MCO P10110.31. Sanitarily approved food establishment is an equivalent term.

Coliform bacteria
Bacteria that are short rods consisting of all aerobic and facultative anaerobic, gram negative, non spore-forming bacteria which ferment lactose with gas formation. The intestinal tract of animals is a major source of these bacteria.

Coliform count
A test that determines the approximate number of coliform in a food product. In proportion to the numbers present, existence of any coliform bacteria in food is suggestive of unsanitary conditions or practices during production, processing, and/or storage.

Contractor
The company to whom the Government has awarded a contract to provide salad-type convenience foods. The company may be a distributor or the manufacturer.

E. coli
Escherichia coli is a gram negative bacteria that is part of the normal flora of the intestinal tracts of man and animals.

Most probable number
Technique used in the determination of the number of bacteria in a food product. The MPN method is based on subdividing the sample and therefore may be described as a multiple tube dilution to extinction method.

Pilot
A sample of a like product that is used for temperature determinations but is not used for additional testing of product characteristics.

Salad-type convenience foods
A term that refers to commercially prepared ready-to-eat salads that may be purchased in bulk or single service containers. Examples include potato, tuna, ham, turkey, macaroni, cole slaw, and so forth.

Veterinary/medical personnel
A term that refers to one of the following:

a. Army—U.S. Army veterinary service personnel.

b. Air Force—U.S. Air Force environmental health personnel who conduct food inspections of Air Force managed food facilities (sales or preparation), or evaluate establishments for locally approved lists.

Wholesomeness
Refers to freedom from adulterants, pathogens, or otherwise harmful microorganisms. It is a characteristic possessed by a food product that is conducive to good health and well being in the consumer.

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